

1 Kathryn G. Spelman, Esq. (Cal. Bar No.
2 154512)
3 Daniel H. Fingerman, Esq. (Cal. Bar No.
4 229683)
5 MOUNT, SPELMAN & FINGERMAN, P.C.
6 RiverPark Tower, Suite 1650
7 333 West San Carlos Street
8 San Jose CA 95110-2740
9 Phone: (408) 279-7000
10 Fax: (408) 998-1473
11 Email: kspelman@mount.com,
12 dfingerman@mount.com

13 Attorneys for Plaintiff,
14 SAN FRANCISCO TECHNOLOGY INC.

ANDREW VALENTINE, Bar No. 162094
andrew.valentine@dlapiper.com
ALAN A. LIMBACH, Bar No. 173059
alan.limbach@dlapiper.com
ERIK R. FUEHRER, Bar No. 252578
erik.fuehrer@dlapiper.com
DLA PIPER LLP (US)
2000 University Avenue
East Palo Alto, CA 94303-2214
Tel: 650.833.2000
Fax: 650.833.2001

Attorneys for Defendant
ADOBE SYSTEMS INCORPORATED

15 UNITED STATES DISTRICT COURT
16
17 NORTHERN DISTRICT OF CALIFORNIA
18
19 SAN FRANCISCO DIVISION

20 SAN FRANCISCO TECHNOLOGY,
21 INC.,

22 Plaintiff,

23 v.

24 ADOBE SYSTEMS INCORPORATED,

25 Defendant.

CASE NO. 5:09-cv-06083-RS-HRL

**STIPULATION FOR MOTION BRIEFING
AND HEARING SCHEDULE AND
[PROPOSED] ORDER**

Pursuant to the Court's February 3, 2011, Civil Minute Order (D.E. 210), plaintiff San Francisco Technology Inc. ("SF Tech") and defendant Adobe Systems Incorporated ("Adobe"), hereby submit this Stipulation and [Proposed] Order for motion briefing and a hearing schedule. The Parties stipulate as follows:

1. On February 3, 2011, the Court held a case management conference (CMC) in this case, jointly with other cases in which defendants were severed from *San Francisco Technology Inc. v. Adobe Systems Inc.*, Case No. 5:09-cv-06083-RS (the former defendants in this case are hereinafter referred to as "the defendants").

2. The defendants have indicated that they intend to file motions to dismiss. At the CMC, the Court directed the defendants to meet and confer with SF Tech on a schedule for briefing and hearing the motions to dismiss. The defendants and SF Tech exchanged emails and held a telephone conference call on the morning of February 7, 2011. During that conference call, the defendants and SF Tech agreed to the following schedule:

<u>Date</u>	<u>Event</u>
March 14, 2011	Deadline for defendant to file motions to dismiss
May 5, 2011	Deadline for SF Tech to file oppositions to motions to dismiss
May 12, 2011	Deadline for defendant to file replies
May 26, 2011, 1:30pm	Hearing on motions to dismiss

3. Based on the Court's statements during the CMC, it is Defendants' position that the Court has stayed all discovery in this case, including initial disclosures, while the motions to dismiss are pending. SF Tech's counsel does not recall the court making that order during the CMC and suggested deferring the issue of a discovery stay until later.

In accordance with General Order 45.X.B., Erik R. Fuehrer, counsel for Adobe Systems Incorporated, attests that each other signatory listed below has concurred in this filing.

///

///

///

1 IT IS SO STIPULATED.

2 Dated: February 11, 2011

DLA PIPER LLP (US)

3
4 By /s/ Andrew Valentine

5 ANDREW P. VALENTINE
6 ALAN LIMBACH
7 ERIK R. FUEHRER
8 DLA PIPER LLP (US)
2000 University Avenue
East Palo Alto, CA 94303-2214
Tel: 650.833.2000
Fax: 650-833-2001

9 Attorneys for Defendant,
ADOBE SYSTEMS INCORPORATED

10
11 Dated: February 11, 2011

MOUNT, SPELMAN & FINGERMAN, P.C.

12
13 By /s/ Daniel Fingerman

14 KATHRYN G. SPELMAN
15 DANIEL H. FINGERMAN
16 RiverPark Tower, Suite 1650
333 West San Carlos Street
San Jose, CA 95110-2740
Tel: 408-279-7000
Fax: 408-998-1473

17 Attorneys for Plaintiff,
18 SAN FRANCISCO TECHNOLOGY, INC.

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20
21 Date: 2/10/11



22 Honorable Richard Seeborg, U.S. District Judge